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Title	Broadband Guidance		01206 506477
Wards affected	All		

The Local Plan Committee is asked to adopt new guidance on the provision of high speed broadband in new developments.

1. Decision(s) Required

- 1.1 The Local Plan Committee is asked to adopt the Supplementary Planning Guidance on the Provision of Broadband in New Developments.

2. Reasons for Decision

- 2.1 The Technical Guidance will ensure that applicants and developers have access to a clear and informative source of guidance as to what the Council will encourage in proposals for new development.
- 2.2 The Guidance is intended to be helpful for both developers and members of the public. It will set out the benefits to developers of installing high speed broadband infrastructure and identify what can be achieved to members of the public, who can take it into account when moving home.

3. Alternative Options

- 3.1 The Committee could decide not to adopt the Guidance. Such a decision would result in applicants and developers not having clear guidance.

4. Supporting Information

- 4.1 The National Planning Policy Framework (NPPF) came into effect on 27th March 2012 and is a material consideration in planning decisions. It sets out the Government's planning policies on supporting high quality communications.
- 4.2 Section 5 of the NPPF, paragraph 42, states that advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.
- 4.3 The proposed Guidance will add detail to this national policy objective and sets out the benefits to installing high speed broadband infrastructure in new development. The document is split into several sections as detailed below.

- 4.4 The first section sets out the context and aim of the Guidance. It states that Local Planning Authorities have a pivotal role to play in encouraging developers to ‘future-proof’ their developments by installing high speed broadband infrastructure. In addition to the reputational and wider economic benefits of ensuring that residents are able to access high speed broadband when they move into new developments, there is also the issue of avoiding the costs and frustrations to occupiers of future retrofitting if the infrastructure is not fit for purpose.
- 4.5 There are then sections on national and local policy and an acknowledgement that at present although Government and the NPPF both support and encourage the inclusion of high speed broadband, there are no statutory requirements which support this aspiration. There are however a number of options which Local Planning Authorities (LPAs) can adopt to encourage and support high speed broadband provision in new developments.
- 4.6 The key benefits in ensuring that planned development is ‘future proofed’ by providing high speed broadband infrastructure are outlined and include the following;
- Superfast speeds are increasingly important to prospective home buyers
 - Costs per unit for larger sites are usually cost neutral
 - Options such as satellite broadband for rural or isolated developments to address financial viability concerns.
- 4.7 The final page of the Guidance identifies network providers and the distribution network.

5. Proposals

- 5.1 The Committee is asked to adopt the Guidance as a material planning consideration which will guide applicants and developers through the planning process to ensure that wherever possible they include high speed broadband infrastructure in new developments.
- 5.2 Officers will research the topic further to inform the development of the Local Plan.

6. Strategic Plan References

- 6.1 An up to date Local Plan and supplementary guidance will help the Council deliver its strategic priorities to generate opportunities for growth and supporting infrastructure, improve sustainability, provide opportunities to increase the number of homes available including those that are affordable for local people and to develop a strong sense of community across the Borough by enabling people and groups to take more ownership and responsibility for their quality of life.

7. Consultation; Publicity Considerations and Financial; Equality, Diversity and Human Rights; Community Safety; Health and Safety and Risk Management Implications

- 7.1 None.

Planning for Broadband

Aim of this note

This document aims to highlight the benefits to developers of installing high speed broadband infrastructure on new developments.

The document provides some background on national policy and local aspirations for future broadband provision, the current “gap” between aspirations and reality at present and some helpful information and guidance on key aspects of the installation and ownership of broadband infrastructure. It also looks at the issue of future-proofing broadband provision in new developments.

Context

Access to broadband is a vital component of infrastructure in today's world. It is key to growing a sustainable local economy, vital for education and home working and an increasingly central part of community cohesion and resilience, particularly in rural areas. In addition, Local Authorities are increasingly reliant on digital infrastructure to provide services and interact with their customers.

Local Planning Authorities have a pivotal role to play in encouraging developers to ‘future-proof’ their developments by installing direct fibre access, where ever possible. Current providers, including BT, Virginmedia and Hyperoptic can all deliver direct fibre access services if given sufficient warning.

In addition to the reputational and wider economic benefits of ensuring that residents are able to access high speed broadband when they move into new developments, there is also the issue of avoiding the costs and frustrations to occupiers of future retrofitting if the infrastructure is not fit for purpose.

Enhanced broadband provision also has the potential to reduce the need for road, rail and air travel. Developers are key in determining how projects shape an area; therefore the planning of telecommunications infrastructure in relation to development is vital.

National Policy and Guidance

The Government recognises that, reliable broadband internet access is essential for homes throughout the country to benefit from online services, and for UK businesses to compete globally. It aims to achieve a transformation in the country's broadband access, with everyone in the UK able to access broadband speeds of at least 2 megabits per second (Mbps) and 95% of the UK receiving far greater speeds (at least 24Mbps) by 2017 and is also exploring options to extend the benefits of fast broadband to remaining areas. This is being executed by overlaying optical fibre over the existing telephone network. The closer fibre is brought to a development the better the service. Direct fibre access is the most future-proof option.

The National Planning Policy Framework (NPPF), which came into force in 2012, recognises the importance of infrastructure in delivering sustainable economic growth,

and states that 'the development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services' (Paragraph 42). It also states that 'in preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband' (Paragraph 43).

Local Position

Although Government and the NPPF both support and encourage the inclusion of high speed broadband, there are no statutory requirements which support this aspiration. The main provider, BT, has discretion in what it offers with resulting inconsistencies and limitations in its delivery of the newest technology. From 2017 EU Legislation will specify that new build and major renovations of buildings will need to be high speed ready, however, exemptions will be allowed for historic buildings, holiday homes or where the cost to do this would be disproportionate, meaning that smaller and rural developments are likely to be excluded.

Traditionally building regulations state the minimum requirement and the current DCLG consultation R 1 consultation states 'at least 30Mbps'. This is problematic as BT can offer their legacy copper access and then request subsidies or direct payments for overlaying fibre to street cabinets, so the copper access offered meets the minimum requirement. Colchester Borough Council (CBC) have also evidence of developers being approached for payments for adding additional cabinets once the original cabinet of typically 288 customers has been filled.

There are a number of options which Local Planning Authorities (LPAs) can adopt to encourage and support high speed broadband provision in new developments.

These include incorporating objectives and policies to support Broadband in local plans; referencing the issue in pre-application discussions and adding it to planning application validation lists as a consideration.

Given the clear social and wider economic benefits of ensuring that high speed broadband is included in new developments, some LPAs have already included objectives and policies in their local plans and core strategies to support broadband in new developments. These include:

- ☐ Eastleigh Borough Council
- ☐ Gosport Borough Council
- ☐ Havant Borough Council
- ☐ East Dunbartonshire Council
- ☐ Fenland District Council
- ☐ Richmondshire District Council
- ☐ South Gloucestershire Council
- ☐ Swale Borough Council

☐ West Northamptonshire Core Strategy.

The inclusion of broadband in these policies and strategies ranges from a desire to grow the rural economy of the area, improve accessibility, reduce carbon emissions through the need to travel and improving social inclusion. However, none of these policies are mandatory and therefore cannot compel developers to install high speed broadband infrastructure on new developments.

The Council is in the process of reviewing its Local Plan and will consider the need and benefits of policies encouraging technological infrastructure, within the limits imposed by current restrictions on the scope of current planning and building regulations in this area. Braintree and Tendring Councils have draft policies as set out below and this type of approach would seem most appropriate.

Draft Broadband Policy

The Council will work with the telecommunications industry to maximise access to super-fast broadband, wireless hotspots and improved mobile signals for all residents and businesses, assisting them in delivering their investment plans and securing funding to address any infrastructure deficiencies or barriers. All new properties (both residential and commercial) must be served by a high speed and reliable broadband connection. This will need to be directly accessed from the nearest exchange and threaded through resistant tubing to enable easy access to the cable for future repair, replacement and upgrading.

Exceptions may be made to the above, in exceptional circumstances where applicants must show through consultation with broadband infrastructure providers, that this would not be possible, practical or economically viable. In these cases an equivalent developer contribution towards off site works will be sought which could enable greater access in the future.

The Council will work with other local authorities and the Local Government Association to make the economic case for technological improvements, which can be cost neutral, and will make this view known to Ofcom and CMS Select Committee inquiry into Broadband.

Benefits and Opportunities

The key benefits in ensuring that planned development is 'future proofed' by providing high speed broadband infrastructure include:

1. As the take up of broadband and associated data services has increased, it has become apparent that people will demand a data service with a property as a matter of course, considering it as important as other utilities.
2. Superfast speeds are increasingly important to prospective home buyers, and homes without broadband could be worth as much as 20% less than comparable properties with a good connection (1).

3. Given the market demand for broadband, and the fact that costs per unit for larger sites are usually cost neutral, it makes good business sense to ensure that new developments include high speed broadband infrastructure as a matter of course. Some developers are already recognising this and have publicly stated that they will install high speed broadband in all of their developments. Others are already implementing the practice.
4. Not only can developers who provide these services use them as a promotional tool, they will also avoid the negative reputational impacts of customers complaining in the press if their new home is not able to support high speed broadband.
5. Estate agents also report that an increasing number of buyers are willing to pull out of a deal if broadband is not available in that area. The property search website [rightmove.co.uk](http://www.rightmove.co.uk) has added a broadband speed checker to every one of its listings, alongside details of transport links and schools (2).
6. If broadband installation is integrated into the planning of developments as early as possible, it may be possible to mitigate costs of installation through electricity and broadband cables sharing the same infrastructure assets, routes or networks. Potential savings of 16-26% could be achieved where existing infrastructure is used to rollout broadband (3). From 2017, EU legislation will mean that network operators (e.g. telecoms, power, water) will have an obligation to offer access to their infrastructure if a reasonable request is made.
7. On more rural or isolated developments where the cost-per-site for other technologies will be over a few hundred pounds, it may be worthwhile considering the option of installing satellite broadband. The recent roll-out of more powerful equipment and use of higher frequencies now mean that an effective service can be offered at a reasonable subscription and competitive connection cost-per-site. Options include a mix of Satellite Distribution Nodes and individual Direct to Home technologies which can be deployed depending on the layout and geography of the area. The Superfast Satellite for Communities: the BDUK Pilot Project (Feb 2015) report provides further details of these options

1 <http://www.theguardian.com/technology/2014/mar/02/fast-broadband-vital-to-homebuyers>

2 <http://www.theguardian.com/technology/2014/mar/02/fast-broadband-vital-to-homebuyers>

3 <https://www.london.gov.uk/sites/default/files/London%20Infrastructure%20Plan%202050%20Consultation.pdf>

Working with a Network Provider

Given the sometimes complex nature of installing broadband in new developments, and the lead in times required, it is recommended that developers work with a network provider from the early stages of planning a development.

BT Openreach and Virgin Media are the two main providers in the UK and offer advice if you are planning a new development.

However other providers are also available, for example GTC and Hyperoptic (David.walker@hyperoptic.com).

There is much scope for developers to improve the consistency and quality of new infrastructure. CBC will share with developers best practice and best contacts as these emerge on a case by case basis.

The Distribution Network

Another key issue that should be considered is that service delivery depends on “end-to-end connectivity”, (i.e. a connection from the broadband supplier right through to the device situated within the home) and therefore needs both parts of the distribution system. The Government has produced detailed guidance on the installation of such infrastructure in new domestic developments which can be found in the document PAS 2016:2010 Next Generation Access for New Build Homes Guide.

In our response to the CLG consultation we are recommending the PAS 2016:2010 is updated to allow for the future proof solutions and not to be limited by the ‘at least 30MBps’.

Note: This document has been produced with reference to two documents produced by Hampshire County Council;

- 1. Planning for Broadband - A Guide for Local Planning Authorities*
- 2. Planning for Broadband - A Guide for Developers*